

January 21, 1965.  
Governmental Subdivision.

**House File 39**  
By GAUDINEER, MAULE, DOYLE,  
VARNEY, O'MALLEY and GLANTON.

Passed House, Date 3/24 Passed Senate, Date 4/23

Vote: Ayes 104 Nays 10 Vote: Ayes 47 Nays 0

Approved May 3, 1965

*Deferred 2/23  
on calendar*  
*Deferred on calendar  
2/26  
motion to reconsider vote tabled 3/24*  
**A BILL FOR** *passed on file 3/25  
govt sub divisions  
do pass 4/10*  
An Act relating to disabled and retired firemen and policemen.

Be It Enacted by the General Assembly of the State of Iowa:

1 Section 1. Section four hundred ten point six (410.6), Code  
2 1962, is amended by adding thereto the following:

3 "Upon the adoption of any increase in pension benefits  
4 effective subsequent to the date of a member's retirement, the  
5 amount payable to each member as his regular pension shall be  
6 increased by an amount equal to fifty percent of any increase in  
7 the pension benefits for the rank at which the member retired."

1 Sec. 2. Section four hundred ten point six (410.6), Code  
2 1962, is further amended by adding thereto the following:

3 "Pensions payable under this chapter shall be adjusted as  
4 follows:

5 1. As of the first of July of each year, the monthly pension  
6 authorized in this chapter payable to each retired member and to  
7 each beneficiary, except children, of a deceased member shall be  
8 recomputed. The applicable formulas authorized in this chapter  
9 which were used to compute the retired member's or beneficiary's  
10 pension at the time of retirement or death shall be used in the  
11 recomputation except the earnable compensation payable on each  
12 July 1 to an active member having the same or equivalent rank  
13 or position as was held by such retired or deceased member at

14 the time of retirement or death, shall be used in lieu of the  
15 final compensation which the retired or deceased member was  
16 receiving at the time of retirement or death. At no time shall  
17 the monthly pension or payment to the beneficiary be less than  
18 the amount which was paid at the time of such member's retirement  
19 or death.

20 2. All monthly pensions adjusted as provided in this section  
21 shall be payable beginning on July 1 of the year which the  
22 adjustment is made and shall continue in effect until the next  
23 following July 1 at which time the monthly pension shall again  
24 be recomputed and all monthly pensions adjusted in accordance  
25 with the computations.

26 3. The adjustment of pensions required by this section shall  
27 recognize the retired or deceased member's position on the salary  
28 scale within his rank at the time of his retirement or death. In  
29 the event that the rank or position held by the retired or deceased  
30 member at the time of his retirement or death is subsequently  
31 abolished, adjustments in the pensions of the member or of the  
32 member's spouse or children shall be computed by the board of  
33 trustees as though such rank or position had not been abolished  
34 and salary increases had been granted to such rank or position on  
35 the same basis as that granted to other ranks and positions in  
36 the department."

1 Sec. 3. Section four hundred ten point ten (410.10), sub-  
2 section one (1), Code 1962, is amended as follows:

3 1. By striking from line three (3), the word "one-fourth"  
4 and inserting in lieu thereof the word "one-half".

5 2. By striking from lines four (4) and five (5) the words

- 6 "final active duty compensation" and inserting in lieu thereof
- 7 the words "total adjusted pension as provided for in section four
- 8 hundred ten point six (410.6), of the Code".

EXPLANATION OF HOUSE FILE 39

Each year, the cost-of-living index rises. The income of the working man is generally adjusted to the price-cost squeeze because he is in a bargaining position. The same cannot be said of the retired person on pension whose source of income is fixed and does not adjust to the rise in cost-of-living.

This bill provides that pensions payable to retired members of the state's police, fire, and public safety departments, or their beneficiaries, will be adjusted according to salaries paid to active members of these departments, and would go far toward eliminating the hardships attendant to the fixed-pension buying power.

REPORT OF THE COMMITTEE ON RULES

- 1 Amend the Rules Committee Report filed February 24 by
- 2 striking all of division 5 and inserting in lieu thereof the
- 3 following:
- 4 5. Strike Rule 22 and insert in lieu thereof the following:
- 5 Rule 22
- 6 Time of Introduction of Bills
- 7 No bill shall be introduced in the Senate after 11:00 a.m.,
- 8 the 8th day of March, except such bills as may be introduced by
- 9 a standing or specially authorized committee, provided, however,
- 10 that no committee bill shall be introduced after 11:00 a.m., the
- 11 8th day of March, except by majority vote of the members of the
- 12 committee; this provision governing the introduction of committee
- 13 bills shall not apply to the Appropriations Committee and
- 14 Ways and Means Committee.

Filed and adopted  
February 26, 1965.

By RIGLER.

HOUSE FILE 39

1 Amend House File 39 by striking all after the enacting clause  
 2 and inserting in lieu thereof the following:  
 3 Section 1. Section four hundred ten point six (410.6),  
 4 Code 1962, is amended by adding thereto the following:  
 5 "Upon the adoption of any increase in pension benefits  
 6 effective subsequent to the date of a member's retirement, the  
 7 amount payable to each member as his regular pension shall be  
 8 increased by an amount equal to twenty-five percent of any in-  
 9 crease in the pension benefits for the rank at which the member  
 10 retired."

*filed 3/10*  
*Committee*  
*B. Jackson*

11 Sec. 2. Section four hundred ten point six (410.6), Code  
 12 1962, is further amended by adding thereto the following:

13 "Pensions payable under this chapter shall be adjusted as  
 14 follows:

15 1. As of the first of July each year, the monthly pension  
 16 authorized in this chapter payable to each retired member and to  
 17 each beneficiary, except children, of a deceased member shall be  
 18 recomputed. The applicable formulas authorized in this chapter  
 19 which were used to compute the retired member's or beneficiary's  
 20 pension at the time of retirement or death shall be used in the  
 21 recomputation except the earnable compensation payable on each  
 22 July 1 to an active member having the same or equivalent rank  
 23 or position as was held by such retired or deceased member at  
 24 the time of retirement or death, shall be used in lieu of the  
 25 final compensation which the retired or deceased member was  
 26 receiving at the time of retirement or death. At no time shall  
 27 the monthly pension or payment to the beneficiary be less than the  
 28 amount which was paid at the time of such member's retirement or  
 29 death.

30 2. All monthly pensions adjusted as provided in this section  
 31 shall be payable beginning on July 1 of the year which the adjust-  
 32 ment is made and shall continue in effect until the next following  
 33 July 1 at which time the monthly pension shall again be recomputed  
 34 and all monthly pensions adjusted in accordance with the computa-  
 35 tions.

36 3. The adjustment of pensions required by this section shall  
 37 recognize the retired or deceased member's position on the salary  
 38 scale within his rank at the time of his retirement or death. In  
 39 the event that the rank or position held by the retired or deceased  
 40 member at the time of his retirement or death is subsequently  
 41 abolished, adjustments in the pensions of the member or of the mem-  
 42 ber's spouse or children shall be computed by the board of trustees  
 43 as though such rank or position had not been abolished and salary  
 44 increases had been granted to such rank or position on the same  
 45 basis as that granted to other ranks and positions in the department.

46 At no time shall the monthly pension or payment to the member  
 47 be less than one hundred fifty dollars (\$150.00)."

48 Sec. 3. Section four hundred ten point ten (410.10), subsection  
 49 one (1), Code 1962, is amended as follows:

50 1. By striking from line three (3), the word "one-fourth"  
 51 and inserting in lieu thereof the word "one-half".

52 2. By striking from lines four (4) and five (5) the words  
 53 "final active duty compensation" and inserting in lieu thereof the  
 54 words "total adjusted pension as provided for in section four  
 55 hundred ten point six (410.6), of the Code".

Filed  
 March 10, 1965.

*Adopted 3/24*

JACKSON of Clinton.  
 RASMUSSEN of Polk.  
 DOYLE of Woodbury.  
 MAYBERRY of Webster.  
 UTZIG of Dubuque.  
 DISTELHORST of Des Moines.  
 SCOTT of Pottawattamie.  
 CAFFREY of Polk.  
 MCNAMARA of Linn.  
 CARNAHAN of Wapello.  
 DUFFY of Dubuque.  
 MILLER of Des Moines.

HOUSE FILE 39

1 Amend the Jackson of Clinton, Rasmussen, et al amendment  
 2 to House File 39 filed March 10, 1965, by adding after the  
 3 period in line ten (10) the following: "Firemen and police-  
 4 men who are drawing social security under the social security  
 5 law would not be entitled to benefits provided in this Act."

Filed and Lost  
 March 24, 1965.

DODERER of Johnson.